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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,467	01/22/2002	Dana Scranton	258/116	6380

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EXAMINER	
STINSON, FRANKIE L	

ART UNIT	PAPER NUMBER
1746	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/055,467	SCRANTON ET AL.	
	Examiner	Art Unit	
	FRANKIE L. STINSON	1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 December 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *17,19-23 and 30-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *17, 19-23 and 30-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 19, 19-23 and 30-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kashiwase et al. (5,378,317) in view of either Kashkoush et al. (6,532,974) or Ogasawara et al. (6,637,445) .

Re claims 17, 34 and 43, Kashiwase is cited disclosing a process for cleaning and drying workpieces, comprising: holding one or more workpieces in a process chamber (see fig. 3B or fig. 4B); heating a process liquid (see col. 4, line 59 and col. 5, lines 19-30), bubbling the ozone gas up through the process liquid in the process chamber (see col. 5, line 21), immersing the workpieces into the process liquid in the process chamber, by raising the level of the process liquid in the process chamber, or by lowering the workpieces into the process liquid, flowing fresh processing liquid into the process chamber (through 36 or 64), while the workpieces are immersed in the process liquid that differs from the claim only in the recitation of heating the processing fluid, drying the workpiece and (specifically for claims 34 and 43) holding the processing fluid below the workpieces. The patents to Kashkoush and Ogasawara are each cited disclosing the arrangement of processing workpieces where there is provided the heating of the ozonated processing fluid (see Kashkoush, col. 8, line 48 and Ogasawara col. 6, line 28-38). It therefore would have been obvious to one having ordinary skill in the art to modify the apparatus of Kashiwase, to have the processing fluid heated as

taught by either Kashkoush or Ogasawara, for the purpose of enhancing the treatment process. In regard to the introduction of drying fluid, Kashkoush (col. 3, line 61) and Ogasawara (col.2, lined 4-25) each disclose the introduction of drying fluid. To modify Kashiwase to include drying means as taught by either Kashkoush or Ogasawara, would have been obvious to one having ordinary skill in the art, for the purpose of removing any residual processing fluid. Kashkoush is also cited disclosing the step of holding the processing fluid below the workpiece (see col.6, line 41 through col. 7, line 3). Re claims 19 and 20, Kashiwase discloses the bubbling of the ozone and the continuous introducing of processing fluid. Re claim 21-23 and 30, Ogasawara discloses the drying nitrogen gas and the isopropyl alcohol vapor. Re claims 31 and 35, Kashiwase, Kashkoush and Ogasawara disclose the weir. Re claims 32, Kashkoush discloses the spraying of the ozone. Re claim 33, Kashiwase and Ogasawara disclose the bubbling of the ozone. Re claim 36, Kashiwase, Kashkoush and Ogasawara disclose the rinsing of the workpiece. Re claim 37, Kashkoush and Ogasawara disclosing the spraying of the rinsing fluid. Re claims 38 and 39, Ogasawara discloses the heating of the drying gas and tensioning effect. Re claim 40, Kashiwase discloses the heating of the processing fluid as proposedly modified. Re claim 42, Kashkoush and Ogasawara disclosed the sealed chamber.

3. Claims 42 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claims 17, 34 and 43 above, and further in view of Scovell (6,558,477).

Claim 42 and 44 defined over Kashiwase only in the recitation of the spinning of the workpiece. Scovell discloses the spinning of the workpiece as claimed. It therefore would have been obvious to one having ordinary skill in the arty to modify the device of Kashiwase, to have the workpieces provided with a spinning action as taught by Scovell, for the purpose of ensuring complete exposure of the surface of the workpieces to the processing fluids.

4. Applicant's arguments with respect to claims 17, 19-23 and 30-44 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP§706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is

(572) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fls

FRANKIE L. STINSON
Primary Examiner
GROUP ART UNIT 1746